

031504

22651 U.S. PTO

UTILITY
PATENT APPLICATION
TRANSMITTALOur Docket No.: **S51.12-0050**Date: **March 15, 2004**First Named Inventor: **Thomas E. Eull**Title: **Booster Axle Pivot Mount**Express Mail No.: **EV 302263630 US****EV302263630US**

17497 U.S. PTO

10/800979

031504

APPLICATION ELEMENTS

ADDRESS TO:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Calculation Sheet
(Submit an original and a duplicate for fee processing)

2. ☐ Applicant claims small entity status

3. ☒ Specification Total Pages [12]

- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed. Sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims
- Abstract of the Disclosure

4. ☒ Drawings (35 U.S.C. 113) Total Sheets [5]

5. ☒ Oath or Declaration Total Pages [2]

- a. ☒ Newly Executed (original or copy)
b. ☐ Copy from a prior application (37 C.F.R. 1.63(d) - for continuation/divisional with Box 18 completed)

[Mark Box 5 below]

- I. ☐ **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b)

6. ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission (*If applicable, all necessary*)
a. ☐ Computer Readable Copy (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies; or
ii. ☐ Paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. 3.73(b) Submission
☐ Power of Attorney
11. ☐ English Translation Document (*if applicable*)
12. ☒ Information Disclosure Statement with copies of Citations as necessary
13. ☐ Preliminary Amendment Total Pages ☐
14. ☒ Return Receipt Postcard (*Should be specifically itemized*)
15. ☐ Certified Copy of Priority document(s) (*If foreign priority is claimed*)
16. ☒ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Application must attach form PTO/SB/35 or its equivalent
17. ☐ Other

18. If a **CONTINUING APPLICATION** check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Division ☐ Continuation-in-part (CIP) of prior Application No.:

Prior Application Information: Examiner Group Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

ATTY NAME
AND REG. NO.

John M. Weyrauch

SIGNATURE:



ADDRESS

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TELEPHONE

(612) 339-1863

FAX: (612) 339-6580

FEE TRANSMITTAL		Complete if Known																																																																																																																																																
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1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account <u>No.11-0982</u> . Deposit Account Name: Kinney & Lange, P.A. A duplicate copy of this communication is enclosed		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - Late filing fee or oath</td><td>*</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>*</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td>*</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For Filing a Request for Reexamination</td><td>*</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td>*</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td>*</td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td>*</td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td>*</td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td>*</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td>*</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td>*</td></tr> <tr><td>1814</td><td>110</td><td>2814</td><td>55</td><td>Terminal Disclaimer Fee</td><td>*</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td>*</td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td>*</td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility/Reissue issue fee</td><td>*</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td>*</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td>*</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td>*</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Statement</td><td>*</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td>*</td></tr> <tr><td colspan="5">Other fee (specify)</td><td>*</td></tr> <tr><td colspan="5" style="text-align: right;">Subtotal (3) \$40.00</td></tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee paid	1051	130	2051	65	Surcharge - Late filing fee or oath	*	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	*	1053	130	1053	130	Non-English specification	*	1812	2,520	1812	2,520	For Filing a Request for Reexamination	*	1251	110	2251	55	Extension for reply within first month	*	1252	420	2252	210	Extension for reply within second month	*	1253	950	2253	475	Extension for reply within third month	*	1254	1,480	2254	740	Extension for reply within fourth month	*	1255	2,010	2255	1,005	Extension for reply within fifth month	*	1402	330	2402	165	Filing a brief in support of an appeal	*	1403	290	2403	145	Request for oral hearing	*	1814	110	2814	55	Terminal Disclaimer Fee	*	1452	110	2452	55	Petition to revive - unavoidable	*	1453	1,330	2453	665	Petition to revive - unintentional	*	1501	1,330	2501	665	Utility/Reissue issue fee	*	1502	480	2502	240	Design issue fee	*	1460	130	1460	130	Petitions to the Commissioner	*	1807	50	1807	50	Petitions related to provisional applications	*	1806	180	1806	180	Submission of Information Disclosure Statement	*	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40	1801	770	2801	385	Request for Continued Examination (RCE)	*	Other fee (specify)					*	Subtotal (3) \$40.00				
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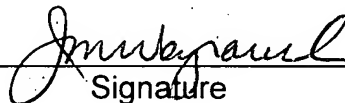
Signature John M. Weyrauch Reg. No. 37,258
 Date 3-15-04 Deposit Account No. 11-0982

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i) (Nonpublication Request)	First Named Inventor	Thomas E. Eull
	Title:	BOOSTER AXLE PIVOT MOUNT
	Atty Docket Number	S51.12-0050

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3-15-04

Date



Signature

John M. Weyrauch, Reg. No. 37,258

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**